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IN THE UNITED STATES DISTRICT COURT
 FOR THE
 NORTHERN MARIANA ISLANDS

LI YING HUA, LI ZHENG ZHE and XU JING JI,) CASE NO. CV 05-0019

Plaintiffs,

vs.

JUNG JIN CORPORATION, a CNMI corporation,
 ASIA ENTERPRISES, INC., a CNMI corporation,
 PARK HWA SUN and KIM HANG KWON,

Defendants.

MOTION TO AMEND
 CASE MANAGEMENT
 SCHEDULING ORDER

Date:
 Time:
 Judge:

Hon. Alex R. Munson

COMES NOW the Plaintiffs, by and through the undersigned counsel of record, with a motion to modify the present case management scheduling order in this matter, not including the presently scheduled trial date therein. Discovery is complete. Rule 16(b), providing for scheduling orders such as the Case Management Scheduling Order here, also specifically provides that the order can be modified upon a showing of good cause. Fed. R. Civ. P. 16(b). This is Plaintiffs' second motion to amend the scheduling order, but for the reasons stated below, Plaintiffs believe that further modification of the case management schedule in this matter to extend the time to file dispositive motions and to set a pre-trial conference would be just and is warranted.

PROCEDURAL HISTORY:

On May 12, 2006, the Court modified the case management schedule in light of the fact that

1 Plaintiffs were moving to amend the Complaint to add additional parties to the action. Also on May
2 12, 2006, the Court granted Plaintiffs' Motion to Amend, and on May 18, 2006, Plaintiffs filed their
3 first amended complaint. Thereafter, the new parties filed an objection to their addition to the
4 lawsuit, the Court ordered briefing, heard the motion and dismissed the new parties, without
5 prejudice, on June 20, 2006.

6 The Court has given the original defendants, not already in default, until July 6, 2006 to file
7 a pleading responsive to the First Amended Complaint. See Clarification of Order Dismissing
8 Complaint, Without Prejudice, as to Defendants Kim Ki Sung and KSK Corporation dated June 21,
9 2006. That date has not yet arrived and the deadline for dispositive motions pursuant to the
10 amended case management schedule is today – June 30, 2006.

11 Further, in an order dated June 1, 2006, the Court took the pre-trial conference in this matter
12 off-calendar presumably to be re-scheduled at a later date.

13 NEED FOR AMENDMENT:

14 Plaintiffs intend to file, shortly, a motion for summary judgment against the non-defaulting
15 defendants and a motion for a default judgment against the defendants for whom the Court has
16 already entered a default. However, the proceedings with regard to the new defendants which were
17 recently dismissed from the suit delayed the responses to the First Amended Complaint and have
18 delayed the filing of dispositive motions.

19 Further, Plaintiffs believe that re-scheduling, now, a pre-trial conference is prudent in the
20 event that a bench trial in this matter is necessary after the Court's ruling on the dispositive motions.

21 Extending the date for dispositive motions will not change or affect the trial date that is
22 currently set in this matter, nor would any party be prejudice by a short extension of the time to file
23 dispositive motions until after the date for responsive pleadings has passed.

24 WHEREFORE, Plaintiffs respectfully request that the Court extend the deadline to file
25 dispositive motions, including motions for default and for summary judgment, to July 14, 2006, and
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1 that the Court schedule a pre-trial conference at its convenience. Further, Plaintiffs waive any
2 hearing on this motion.

3 Respectfully submitted this 30th day of June, 2006.

4
5 /s/

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